

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Masaki Hori Group No.: 3612
Serial No.: 10/623,832 Confirmation No. 4202
Filed: July 21, 2003 Examiner: Kiran B. Patel
For: APPARATUS FOR OPENING
AND CLOSING WING DOOR OF
TRUCK

Attorney
Docket No.: 8614/88476

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The fee of \$180.00 for submission of an Information Disclosure Statement under 37 CFR §1.17(p) is paid by check attached hereto. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 23-0920. A duplicate of this notice is attached.

In accordance with 37 C.F.R. §§1.56, 1.97(c) and 1.98, Applicants, through counsel herewith, brings to the attention of the Examiner a number of references that the applicant cited in connection with a continuation application from the above-captioned matter. These references are considered to be, at best, cumulative of references that already are of record. However, applicant respectfully requests that the Examiner consider such references in the examination of this application and list these references of record in the application.

Documents for which the supplied date of publication lists the year of publication without the month were published sufficiently earlier than the effective U.S. filing date and any foreign priority date, so that the particular month of publication is not in issue. Pursuant to §609 of the MPEP, it is understood that the month of publication is not required when the particular month of publication is not in issue.

No inferences should be drawn that the attached list represents a comprehensive investigation, or that any material disclosed is equivalent to the subject invention. In addition, it is respectfully submitted that none of the documents that have publication dates prior to the priority date of the above application anticipate the invention in this application for a number of different reasons.

The cited document(s) disclose numerous specific features. There has been no attempt to list each and every feature disclosed by each document. The Examiner is requested to review the document(s) and determine the extent of the materiality of the document disclosures with respect to the present invention.

The discussion of any art and the citation of any document(s) herein is not to be construed as an admission that the art or document disclosure is necessarily within the invention field of endeavor, that the art or document disclosure is necessarily prior in time to a particular date which may be relevant to the instant patent application, and/or that the art or document disclosure is otherwise necessarily prior art as defined by the patent law with respect to the instant invention and application.

Also, there is reserved the right to later set forth how the instant invention is distinguished over the disclosure of any document or other art, including the disclosures of the art and document(s) recited herein, that may be cited by the Examiner in rejecting a claim in the instant patent application. The recitation herein of the art and document(s) is not to be construed as an assertion that more pertinent art could not possibly be in existence.

Concise Explanation Of The Alleged Relevance

(1) JP-UM-A-59-177514 (laid-open: Nov. 27, 1984)

A van type vehicle of roof-opening type has a pair of roofs 7, 8 which can be opened/closed and are pivoted by a pivot 9 at the upper end of the side wall 6. The opening and closing the roofs 7, 8 are carried out by opening/closing apparatus disposed on the front and rear walls of the vehicle. Fig. 2

In Fig. 3, 10 is hydraulic cylinder; 14 is rod; and 10a is cylinder rod.

(2) JP-UM-A-61-123577 (laid-open: Aug. 4, 1986)

Mounting device for torsion spring

Fig. 1, 1: panel, 3: cap, 4: rotary shaft, 5: torsion spring, 6: retaining frame, 7: supporting shaft, 8a, 8b: retaining groove

Coiled torsion spring 5 is supported by a pair of supporting shafts 7,7. Ends 5a, 5b of the torsion spring are retained by the retaining grooves 8a, 8b. The pair of supporting shafts 7, 7 are disposed facing the rotary shaft 4.

(3) JP-UM-A-62-155028 (laid-open: Oct. 1, 1987)

Opening/closing device of cargo box of truck. A center frame is bridged between upper parts of walls disclosed at the front and rear ends of the cargo box, and base portions of left and right roof members are rotatably pivoted on the center frame. A link bar 10 is pivoted on the upper surface of the wall, one end of the link bar 10 being connected to a telescopic device (hydraulic cylinder 6), with the other end thereof being connected to a connecting bar 13 which is pivoted to the roof member at 12.

Fig. 1, 1: wall, 2: cargo box, 11: pivot

Refer to Figs. 1-3. Fig. 4 is conventional.

(4) JP-UM-A-62-198129 (laid-open: Dec. 16, 1987)

Cargo automobile

Claims (translation)

1. Cargo automobile comprising:
a hood member for openably closing the side of a cargo chamber, and a driving mechanism for rotating to open said hood member,
wherein said driving mechanism comprises a biasing member for biasing said hood member toward opening said cargo chamber, and a driving motor that rotates to open the hood member.
2. The cargo automobile as recited in claim 1, wherein said hood member comprises a main pipe disposed along a longitudinal frame disposed on the ceiling part of the cargo chamber, and a side frame fixed to the main pipe, said side frame being formed in a shape like the L-letter along a transverse frame and a supporting post;
said biasing member being wound on the main pipe and provided with a torsion coil spring, having its one end engaged with the longitudinal frame and the other end engaged with said side frame.
3. The cargo automobile as recited in claim 2, wherein said driving motor is disposed within a hollow space of said transverse frame.
10: cargo box, 12: hinge, 14: side plate, 16: supporting post, 18: transverse frame, 20: longitudinal frame, 22: hood member, 24: hood cloth, 26: skeleton member, 26a: main pipe, 26b: edge pipe, 26c: side pipe, 26d: sub pipe, 28: guide frame, 28a: slit, 30: color, 32: bracket, 34: torsion coil spring, 34a: hook portion, 36: driving motor, 36a: driving shaft, 8: bolt-nut, 40: lock pin, 42: bolt-nut, 44: driving gear, 46: pin, 48: roller, 50: limit switch, 50a: actuator
Explanation: The torsion coil spring 34 is used for biasing the hood member toward opening.

(5) JP-UM-A-6-87028 (laid-open: Dec. 20, 1994)

Opening/closing apparatus of L-shaped roof in the wing vehicle

There are provided with a L-shaped roof 1 supported between front and rear walls and up and down rotatably spanned; side plate 4 pivoted to the side end of the cargo box; a wire 14 spanned between the side plate and a lever-type rotating device placed in an upper groove-like recess 9; spring device 17 having one end pivoted to the front wall or rear wall and the other end pivoted to the L-shaped roof 1; and a small spring device 6 disposed near the upper corner. Further, there is an arm 11 pivoted to a bracket 10; a roller 12 is rotatably supported at the upper end of the arm; and a wire 14 is fixed to the lower end of the arm, while the other end of the wire 14 is fixed to a wire-retainer 16 disposed at the side of the side plate through pulleys 15a, 15b, 15c.

When the side plate is driven, the L-shaped roof is moved automatically through the wire 14.

(6) JP-UM-A-7-5857 (laid-open: Jan. 27, 1995)

Opening/closing apparatus of cargo box roof for cargo automobile
[Construction]

When wing 4 is opened, three opening forces of the driving means act on the wing 4 during the time until reaching a predetermined opening degree of the wing 4; said three opening forces being formed of an opening force of an electric motor 15; an opening force of the first and second spring means 16, 18; and an opening force of the first and second auxiliary gas-spring means; Thereafter when there is no need of large opening force, wing 4 is opened by only two opening forces of the opening force of the electric motor 15 and that of the first and second gas spring means 16, 18.

Respectfully submitted,

WELSH & KATZ/LTD.

By:


Jeffrey W. Salmon
Registration No. 37,435

Dated: February 21, 2008

WELSH & KATZ, LTD.

120 South Riverside Plaza, 22nd Floor

Chicago, Illinois 60606

(312) 655-1500 (telephone)

(312) 655-1501 (facsimile)

E-mail jwsalmon@welshkatz.com